GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 10 Dated: 07-01-2020.

ORDER:

It is proposed to hold an inquiry against Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district is further informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD, Cumbum, Prakasam district and now working as Deputy Executive Engineer, PR, Macherla, Guntur district is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Ganga Naik, the then Deputy Executive Engineer, PIUSD,
Cumbum, Prakasam district and now working as Deputy Executive Engineer,
PR, Macherla, Guntur District (through the Engineer-in-Chief, Panchayat Raj,
Andhra Pradesh, Vijayawada).
The Engineer-inChief, Panchayat Raj, Andhra Pradesh, Vijayawada
(with a request to serve and return the acknowledged copy and
Written Statement of Defence).
Copy to:
The Panchayat Raj & Rural Development (Estt.I) Department.
The Secretary, APVC.
S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI P. GANGA NAIK, THE THEN DEPUTY EXECUTIVE ENGINEER, PIUSD, CUMBUM, PRAKASAM DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PR, MACHERLA, GUNTUR DISTRICT

CHARGE:-

That said Sri P. Ganga Naik, Deputy Executive Engineer, PR, Macherla, Guntur District, while working as Deputy Executive Engineer, PIU SD, Cumbum, Prakasam district has committed grave irregularities in execution of the work "Providing BT to the road from Rajupalem to Gunthapalli via Routhupalli and Payalapalli" in Prakasam district, in as much as he check-measured and recommended for payment for inferior quality of work done in execution of CC pavements in Rajupalem, Payalayaplli village limits and CC wearing coat on road dam in KM 3/10 using M30 grade concrete costing Rs.34,53,239/-, resulting in rejection of work and loss to the Government.

Thus, P. Ganga Naik, Deputy Executive Engineer, PR, Macherla, Guntur District, while working as Deputy Executive Engineer, PIU SD, Cumbum, Prakasam district, by his above mentioned acts, has exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE–II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI P. GANGA NAIK, THE THEN DEPUTY EXECUTIVE ENGINEER, PIUSD, CUMBUM, PRAKASAM DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PR, MACHERLA, GUNTUR DISTRICT

The General Administration (V&E) Department have verified the work " Providing BT to the road from Rajupalem to Gunthapalli via Routhupalli and Payalapalli" in Prakasam district on 5.8.2015, 28.11.2015 and 09.12.2015 and furnished a report vide Vigilance Report No.7, dated:10.02.2016,with the following findings, among others:-

i. Bitumen extraction tests were conducted on 14 samples taken in KM2, KM3, KM4, KM5, KM11, KM12 & KM13 of OGPC+SC layer. The test results revealed that the bitumen contents were varying from 18.23kg/10 sqm to 19.02 kg/10 sqm against specified quantity of 21.40 kg/10sqm with deficiencies ranging from 14.81% to 11.12%, valued at Rs.6,76,255/- towards short usage of bitumen in OGPC+SC layer as per the guidelines in vogue.

ii. 18 (6sets X 3 Nos) Cores were extracted from hardened concrete of M30 grade from the CC pavement laid in Village limits of Rajupalem (KM1), Payalapalli (KM9) and from the wearing coat laid on road dam (KM3/10) to ascertain the compressive strength of concrete. The test results revealed that the average equivalent cube compressive strengths obtained were varying from 8.17N/Mm2 to 10.45N/ mm2 against specified strength of 25.50N/mm2 for M30 grade concrete. All the cores failed to satisfy the strength requirements as per IS 456-2000 and the concrete laid is liable for rejection. Hence CC Pavement laid in Rajupalem, Payalapalli and wearing coat on road dam in KM 3/10 are to be removed and re-laid at the cost of contractor duly recovering an amount of Rs.34,53,239/- towards payment already made to the contractor.

iii. As per agreement, the work has to be completed by 09.12.2012 i.e., in 18 months from the date of agreement on 10.06.2011. But, the contractor completed only 30% of work within agreement time. The extension of agreement time was granted 5 times up to 30.08.2015 (nearly 33 months over agreement time of 18 months) with nominal penalties totaling Rs.3.00 Lakhs. In the extended period of 33 months, the contractor completed only another 40% of work. The Contractor once again applied for extension of time up to 31.03.2016. Liquidated damages have not been imposed as per agreement clause 48.3 for the delays attributable to contractor.

iv The Contractor excavated earthwork for 4 vented slab culvert in KM 5/2 in the month of May, 2014 and has not done any further work to complete the structure till date which caused lot of inconvenience to traffic.

v. The Government had borrowed from NABARD for the subject work. Though the work was supposed to be completed by 09.12.2012, it is still not completed. Thereby the object of the loan borrowed from NABARD is defeated and the rural citizens residing in that vicinity are also facing lot of inconvenience to transport their agriculture produce to the respective destination.

From the above findings, it is clear that poor quality of work has been executed. Sri P. Ganga Naik, DEE., has executing the same and has check measured the work and recommended for payment for the inferior quality work cause loss/wasteful expenditure of Rs.34,53,239/- to the Govt.

Thus, the above Government servant has failed to discharge his legitimate duties properly and acted for his personal gain, in contravention of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence, the charge.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI P. GANGA NAIK, THE THEN DEPUTY EXECUTIVE ENGINEER, PIUSD, CUMBUM, PRAKASAM DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PR, MACHERLA, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.7 (C.No.1012-/V&E/E/2015), Dated:10.02.2018.

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI P. GANGA NAIK, THE THEN DEPUTY EXECUTIVE ENGINEER, PIUSD, CUMBUM, PRAKASAM DISTRICT AND NOW WORKING AS DEPUTY EXECUTIVE ENGINEER, PR, MACHERLA, GUNTUR DISTRICT ARE PROPOSED TO BE SUSTAINED

NIL

GOPAL KRISHNA DWIVEDI,
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER